

DOCUMENT RESUME

ED 440 589

HE 032 806

TITLE Drug Convictions May Affect Your Student Aid.
INSTITUTION Department of Education, Washington, DC.
PUB DATE 2000-00-00
NOTE 5p.
PUB TYPE Reports - Descriptive (141)
EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS College Bound Students; Crime; Drug Legislation; Eligibility; *Federal Aid; Financial Aid Applicants; Higher Education; *Illegal Drug Use; *Student Financial Aid

ABSTRACT

This booklet explains problems posed by prior drug convictions to college-bound students seeking federal financial aid. Under a new law which takes effect on July 1, 2000, some students who have drug convictions may be ineligible for federal student aid. For possession of illegal drugs, students are ineligible from the date of conviction for one year for a first offense, two years for a second offense, and indefinitely for a third offense. For sale of illegal drugs, students are ineligible from the date of conviction for two years for a first offense and indefinitely for a second offense. Drug convictions that were reversed, set aside, or removed from the record do not count, nor do convictions before age 18. The booklet notes that students with drug convictions should still apply because, depending on the date and number of convictions, they may be eligible. Even if ineligible, students should still complete the Free Application for Federal Student Aid because many schools and states use information from the form for their aid programs. The booklet describes how to correctly answer the question about drug convictions on the student financial aid application, and discusses how to regain eligibility through an acceptable drug rehabilitation program. (SM)



DRUG CONVICTIONS MAY AFFECT YOUR STUDENT AID

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)

- ☒ This document has been reproduced as received from the person or organization originating it.
- ☐ Minor changes have been made to improve reproduction quality.

- Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.



U.S. DEPARTMENT OF EDUCATION

WHAT DO DRUG CONVICTIONS HAVE TO DO WITH STUDENT AID?

Under a new law, some students who have drug-related convictions may be ineligible for federal student aid. The new law takes effect for the 2000-2001 school year, which begins on July 1, 2000.

According to the law, if you are convicted of a drug-related offense, you may face these restrictions:

1. For *possession* of illegal drugs, you are ineligible from the date of conviction (not arrest) for:
One year for a first offense
Two years for a second offense
Indefinitely for a third offense

2. For *sale* of illegal drugs, you are ineligible from the date of conviction (not arrest) for:
Two years for a first offense
Indefinitely for a second offense

DO ALL DRUG CONVICTIONS COUNT?

No, do not count any conviction that was reversed, set aside, or removed from your record. Also, do not count any conviction that occurred before you turned 18, unless you were prosecuted as an adult.

Alcohol and tobacco are not illegal drugs under this law.

IF I HAVE DRUG CONVICTIONS, SHOULD I STILL APPLY FOR STUDENT AID?

Yes, even if you have drug convictions, you should complete and submit a Free Application for Federal Student Aid (FAFSA). You may be eligible, depending on the date and number of convictions.

Even if you are ineligible for federal student aid, you should complete and submit your FAFSA. Many states and schools use information from the FAFSA, and you may still be eligible for scholarships or other types of aid from their programs. And there is a way that you can regain eligibility for the federal programs, which is described later in this brochure.

**CAN YOU GIVE
SOME EXAMPLES?**

A.

Student A has a first-time conviction for drug possession on February 1, 2000 (loses eligibility) **
Add 1 year to conviction date

Student A will be eligible again on February 1, 2001

B.

Student B has a first-time conviction for selling (distributing) drugs on March 1, 2000 (loses eligibility)**
Add 2 years to conviction date

Student B will be eligible again on March 1, 2002

C.

Student C has convictions for both possession and sale of drugs, and therefore has two "eligibility dates."

Second-time conviction for possession on February 1, 2000 (loses eligibility)**
Add two years to conviction date
Eligibility date is February 1, 2002

First-time conviction for sale on March 1, 1999 (loses eligibility)**
Add two years to conviction date
Eligibility date is March 1, 2001

Student C will be eligible again on the later date, February 1, 2002

** As stated before, the new law does not take effect until July 1, 2000. The students in our examples have convictions before July 1, 2000 and begin their periods of ineligibility on the date of conviction as shown. However, these students would not actually lose any federal student aid that they received, or are receiving, until July 1, 2000. The period of ineligibility for each student continues until the eligibility date arrives or they complete an acceptable drug rehabilitation program.

**HOW DO I ANSWER
QUESTION 28 ON
THE FAFSA?**

Question 28 on the 2000-2001 FAFSA asks about drug convictions. You can either call the Federal Student Aid Information Center at 1-800 4-FED-AID (1-800-433-3243) or go to www.fafsa.ed.gov/q28 for help in answering the question. You can choose an interactive web questionnaire, an automated telephone questionnaire, or talk with a customer service operator. Your personal information is confidential and you will remain anonymous.

WHAT IF I AM INDEFINITELY INELIGIBLE?

You can regain eligibility for federal student financial aid no matter how many or what type of drug convictions you have. You must successfully complete an acceptable drug rehabilitation program that meets the standards set by Congress and the Department of Education, and you will regain eligibility on the date you complete the program.

WHAT IS AN ACCEPTABLE DRUG REHABILITATION PROGRAM?

An acceptable drug rehabilitation program must have TWO unannounced drug tests.
AND it must either:

- Be qualified to receive funds from a federal, state, or local government agency or program, or from a state or federally licensed insurance company,

OR

- Be administered or recognized by a federal, state, or local government agency or court, or by a state or federally licensed hospital, health clinic, or medical doctor.

HOW CAN I GET MORE INFORMATION?

If you still have questions about the new law, call the Federal Student Aid Information Center at 1-800 4-FED-AID (1-800-433-3243).

If you want to find out if a drug rehabilitation program meets the described standards, you need to contact the rehabilitation program.



U.S. Department of Education
Office of Educational Research and Improvement (OERI)
National Library of Education (NLE)
Educational Resources Information Center (ERIC)



NOTICE

REPRODUCTION BASIS



This document is covered by a signed "Reproduction Release (Blanket)" form (on file within the ERIC system), encompassing all or classes of documents from its source organization and, therefore, does not require a "Specific Document" Release form.



This document is Federally-funded, or carries its own permission to reproduce, or is otherwise in the public domain and, therefore, may be reproduced by ERIC without a signed Reproduction Release form (either "Specific Document" or "Blanket").